IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WESTERN STAR HOSPITAL : **AUTHORITY INC., trading and doing**

business as METRO HEALTH EMS, No. 1:21-cy-00524

Plaintiff

(Judge Kane) :

v.

SUSAN MCCAFFREY, et al.,

Defendants

ORDER

AND NOW, on this 23rd day of March 2022, in accordance with the accompanying Memorandum, IT IS ORDERED THAT the five (5) pending motions to dismiss filed by the thirteen named Defendants in this action (Doc. Nos. 36-38, 52, 63) are **GRANTED** to the following extent:

- 1. Plaintiff's claims asserted against Defendants Susan McCaffrey, Laura Baumgart, Barbara Forsha, Robert Schollaert, and David Utter are **DISMISSED WITH PREJUDICE**, and the Clerk of Court is directed to **TERMINATE** these five (5) Defendants from the above-captioned action;
- 2. Plaintiff's claims asserted in Count I of its complaint against the remaining eight (8) Defendants¹ are **DISMISSED WITHOUT PREJUDICE** to Plaintiff's right to file, within thirty (30) days of the date of this Order, an amended complaint correcting the pleading deficiencies identified in the Memorandum issued concurrently with this Order; and
- 3. Plaintiff's claims asserted in Count II of its complaint against the same remaining eight (8) Defendants identified in paragraph 2 of this Order are **DISMISSED** WITH PREJUDICE.

s/ Yvette Kane

Yvette Kane, District Judge **United States District Court** Middle District of Pennsylvania

¹ These eight (8) Defendants include: (1) University of Pittsburgh Medical Center; (2) University of Pittsburgh Medical Center Medcall; (3) Medevac Ambulance; (4) Aaron Rhone; (5) Travis Woodyard; (6) Brian Shaw; (7) Amos Cameron; and (8) Myron Rickens.